

Translation

PATENT COOPERATION TREATY

PCT

Rec'd PCT/PTO 11 FEB 2005

PCT Application
PCT/CN2003/000664



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference IEC030016PCT		FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/CN03/00664		International filing date (day/month/year) 13.AUG.2003(13.08.03)	Priority date (day/month/year) 13.AUG.2002(13.08.02)	
International Patent Classification (IPC) or national classification and IPC IPC ⁷ : A61K31/7008, A61P13/02, A61P15/00, A61P31/00, A61K9/00				
Applicant THIRD MILITARY MEDICAL UNIVERSITY, CHINESE PEOPLE'S LIBERATION ARMY. P.R.OF CHINA. ET AL				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input checked="" type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 10.MAR.2004(10.03.04)		Date of completion of this report 17.JAN.2005(17.01.05)		
Name and mailing address of the IPEA/ 6 Xitucheng Rd., Jimen Bridge, Haidian District, 100088 Beijing, China		Authorized officer WANG Jingjing		
Facsimile No. (86-10)62019451		Telephone No. 86-10-62085257		

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ the international application as originally filed/furnished

☐ the description:

pages _____ as originally filed/furnished
pages * _____ received by this Authority on _____
pages * _____ received by this Authority on _____

☐ the claims:

pages _____ as originally filed/furnished
pages * _____ as amended (together with any statement) under Article 19
pages * _____ received by this Authority on _____
pages * _____ received by this Authority on _____

☐ the drawings:

pages _____ as originally filed/furnished
pages * _____ received by this Authority on _____
pages * _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/figs _____
☐ the sequence listing (*specify*): _____
☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement:

Novelty (N)	Claims 1-5	YES
	Claims	NO
Inventive step (IS)	Claims 1-5	YES
	Claims	NO
Industrial applicability (IA)	Claims 1-5	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

D1: WO 9953929A1

D2: WO 9314765A1

D3: WO 02067948A1

D1 disclosed a novel composition containing N- acetylglucosamine and it's use of colon administration for treatment of inflammatory bowel disease.

D2 disclosed the new use of N- acetylglucosamine for treatment of gastrointestinal tract disorders.

D3 disclosed the use of N- acetyl-D-glucosamine in the manufacture of medicines for sexual disturbance treatment.

None of the cited documents above disclosed the use of N- acetyl-D-glucosamine in the manufacture of medicines for urogenital tract infection treatment and prevention, thus, the manufacture use disclosed in this invention is new. Furthermore, since the new use is based on different mechanism from prior arts, the inventiveness can be concluded significantly.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
WO9953929A1	28-10-1999	12-03-1999	17-04-1998
WO9314765 A1	05-08-1993	28-01-1993	28-01-1992
WO02067948 A1	06-09-2002	28-02-2002	28-02-2001

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
_____	_____	_____